REMARKS/ARGUMENTS

Claims 15-22 and 31-34 are active. Claim 22 has been amended for clarity and to depend from claims 15-21 and 31. No new matter has been added. The Applicants reiterate their earlier remarks below for the convenience of the Examiner.

Restriction/Election

The Applicants previously elected with traverse **Group III**, claims 15-22, directed to a molecule designated "A". The requirement has been made FINAL.

Rejection—35 U.S.C. §112, second paragraph

Claims 15-22 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is moot in view of the amendments above or remarks below. "Molecule A" is "a molecule to be immobilized to a solid phase support", see page 10, lines 8-9 of the specification. "Molecule B" exhibits a "specific interaction" with Molecule A (page 10, line 22) and thus becomes a counterpart of Molecule A and can be "target molecule" for Molecule A. Molecules A and B are "mutually different substances" (page 10, line 27). Accordingly, this term when read in light of the specification by one of ordinary skill in the art is not indefinite.

The rejection of claim 22 for being improperly multiply dependent is moot in view of the amendment above.

Rejection—35 U.S.C. §102(b)

Claims 15-22 were rejected under 35 U.S.C. 102(b) as being anticipated by Singh, et al., U.S. Patent No. 5,578,498. This rejection is moot in view of the cancellation of the prior claims or the amendments above.

The present invention is characterized in that Molecule A can be cound with a solid-phase support, a spacer can be incorporated into Molecule A and a functional group can be incorporated into Molecule A without specifying the position of the Molecule A side. In other words, a Molecule A solid-phase support can have various steric structures and the present invention is characterized by the use of such a solid-phase support in the state in a mixed state. For example, in Example 8 of the present invention a compound is derivatized with a metabolic enzyme (S-9 Mix derived from rat liver tissue) before immobilization onto the support. It remains unknown throughout the process what kind of reaction occurs to the compound and what type of binding occurs to immobilized the compound to the support.

On the other hand, Singh describes binding of an sbp member with a support and also describes that a linking group or a functional group may be incorporated. However, it recites exemplary groups to be bound with a linking group or a functional group (col. 13, lines 22-38). In other words, Singh refers to immobilization of a synthetically well designed compound in which a linking or functional group is incorporated at a particular site or particular chemical group on the compound.

Furthermore, Singh is generally directed to compositions containing metal chelates for use in chemiluminescent assays, such as metal chelates incorporated into latex (see Title and Abstract). It does not disclose a "mixture of two or more solid phase supports each bound to a molecule designated molecule A" as required by independent claim 15.

Singh, col. 14, line 51 through col. 18, line 7, discloses different "Support or Surface" (col. 14, line 51, *ff.*), "Particles" (col. 15, line 8 *ff.*), and "Latex particles" (col. 16,

lines 27, *ff.*), but does not disclose a composition in which a binding ligand (i.e., Molecule A) is bound to two or more different solid supports at different positions on the ligand (Molecule A). Accordingly, Singh does not anticipate the present claims and this rejection may now be withdrawn.

Conclusion

In view of the amendments and remarks above, the Applicants respectfully submit that this application is now in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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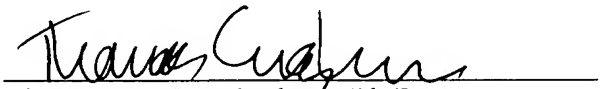
Norman F. Oblon



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